

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TAB 4.....2005-08 Collective Bargaining Agreement

TAB 5.....2008-11 Collective Bargaining Agreement

TAB 6.....Plaintiff's Responses to Defendant's Request for Production of
Documents

TAB 7.....Affidavit of Anthony Benish

TAB 8.....Affidavit of Deanne Montella

TAB 9.....Kickert FMCSA Website Listing

TAB 1

U.S. Department of Transportation
 Keyword Links | Contact Us | Español

Federal Motor Carrier Safety Administration

[Home](#) [Rules & Regulations](#) [Registration & Licensing](#) [Forms](#) [Safety & Security](#) [Facts & Research](#) [Cross Border](#) [About FMCSA](#)

[Home](#) > [About FMCSA](#) > [Outreach & Education](#) > [Guide to Hiring Bus Companies for Student Extracurricular Activities](#)
Search All FMCSA Sites

Guide to Hiring Bus Companies for Student Extracurricular Activities

 Print

↑ About FMCSA

Outreach & Education

Outreach Programs

- Truck (Motor Carrier)
- Bus (Passenger Carrier)
- Hazmat
- Driver Safety
- Security
- Health & Wellness
- Highway-Rail Grade Crossing Safety
- Mexico/Spanish
- Education
- Volunteer Activities

Related Web Sites

- Protect Your Move
- Hours of Service
- Safety Belt Partnership
- Calendar of Events

Using a list of prequalified bus companies for transporting students to and from extracurricular activities is the simplest way to assure uniformity throughout a State, county, or school.

A. If no list of prequalified bus companies is available, request the bus company's USDOT number and log on to <http://www.safer.fmcsa.dot.gov/> for information, including:

- the bus company's current USDOT safety rating, if issued, and the date of the company's last compliance review (on-site inspection by motor carrier safety authorities);
- whether the company is authorized to transport passengers for hire;
- whether the company has current insurance in force;
- the company's record of regulatory violations and roadside out-of-service violations, with a comparison to national averages; and
- the company's highway crash history.

B. Whether or not you are working from a list of prequalified bus companies, ask the following questions:

- Does the driver have a current commercial driver's license (CDL) with a passenger endorsement?
- Does the driver possess a valid medical certificate?
- Does the company have a driver drug and alcohol testing program that complies with U.S. DOT regulations?
- Will your trip be completed within the legal limit of 10 driving hours? If not, will there be a second driver or overnight rest stop scheduled to legally complete the trip?
- Does the company have its buses inspected annually? By whom?
- Does the company have the required \$5 million of public liability insurance?
- Does the company subcontract with others for equipment and/or drivers? If so, what is the name of the second bus company and its USDOT number?
- Does the company have notification procedures for roadside emergencies and breakdowns? Is the driver equipped with a wireless communications device?

The best defense against a life-endangering incident is a well-qualified, healthy, and rested driver. Take the time to check out the company and driver you hire. For more information on ensuring a safe trip, visit www.fmcsa.dot.gov/safetyprogs/bus.htm. Your students, and their parents, will greatly appreciate it.

[Feedback](#) | [Privacy Policy](#) | [USA.gov](#) | [Freedom of Information Act \(FOIA\)](#) | [Accessibility](#)
[OIG Hotline](#) | [Web Policies and Important Links](#) | [Site Map](#) | [Plug-ins](#)

Federal Motor Carrier Safety Administration
 1200 New Jersey Avenue SE, Washington, DC 20590 • 1-800-832-5660 • TTY: 1-800-877-8339
 Field Office Roster

Federal Motor Carrier Safety Administration

 Send to Printer

Fact Sheet-Commercial Driver's License (CDL)

- Seven new provisions in the regulation address the following: disqualification for driving while suspended, disqualified, or causing a fatality; emergency disqualification of drivers posing an imminent hazard; expanded definition of serious traffic violations; extended driver record check; new notification requirements; masking prohibition; disqualification for violations obtained while driving a noncommercial motor vehicle (CMV).
- The Motor Carrier Safety Improvement Act of 1999 requires the agency to withhold Motor Carrier Safety Assistance Program grant funds from the states if they do not comply with the regulation.
- A new masking prohibition does not prevent a conviction from appearing on a driver's record and requires making conviction information available to authorized parties.
- Applicants for an initial CDL, and those transferring or renewing a CDL, must provide state driver licensing agency personnel with the name of all states where previously licensed for the past ten years to drive any type of motor vehicle, allowing state officials to obtain an applicant's complete driving record. The final rule limits this record check to CDL drivers initially renewing their license after the effective date of this rulemaking.
- States must maintain a CDL driver-history record noting an individual's convictions for state or local motor-vehicle traffic-control laws while operating any type of motor vehicle. Information on these convictions and other licensing actions must be kept a minimum of three years. Disqualifying offenses range from three years to life.
- The Federal Motor Carrier Safety Administration (FMCSA) may prohibit a state from issuing, renewing, transferring, or upgrading CDLs if the agency determined the state is in substantial noncompliance with the CDL licensing and sanctioning requirements.
- The new rule specifies applicants must pass both a knowledge and a skills test to obtain a new school-bus endorsement. The regulation requires the FMCSA to create a new endorsement CDL holders must obtain to operate a school bus.
- Under the new regulation, a driver may apply for a CDL from another state if the state he lives in was decertified and if the other state to which he applies elects to issue that license. States are authorized, but not required, to issue nonresident CDLs to such drivers.
- States with a school-bus-licensing program meeting or exceeding FMCSA requirements may continue to license school-bus drivers with that program. States have the option to not require applicants for the school-bus endorsement to take the skills test when the applicant has experience driving a school bus and meets safety criteria.
- A CDL disqualifying offenses section was revised to show driver violations for CDL holders and a CMV. The charts describe an offense and the ensuing penalty.
- The regulations add these serious traffic violations: driving a CMV without obtaining a CDL; driving a CMV without a CDL in the driver's possession; and driving a CMV without the proper CDL and/or endorsement. Driver disqualification can result if a driver is convicted two or more times within a three-year period.

Related Links

[CDL Program Description](#)

-B-

- States must be connected to the Commercial Driver's License Information System (CDLIS) and the National Driver Register (NDR) in order to exchange information about CMV drivers, traffic convictions, and disqualifications. A State must use both the CDLIS and NDR to check a driver's record, and the CDLIS to make certain that the applicant does not already have a CDL. *Members of the enforcement community seeking access to CDLIS data should visit the FMCSA Technical Support Web site. Carriers needing CDLIS data should seek a commercial company that provides a clearinghouse service for this information, or contact the driver's State of licensure.*
- New notification requirements necessitate that states inform CDLIS and the state issuing the CDL no later than 10 days after disqualifying, revoking, suspending, or canceling a CDL, or refusing to allow someone for at least 60 days to operate a CMV. Beginning three years after the final rule's effective date, notification of traffic-violation convictions must occur within 30 days of the conviction. Six years after the final rule's effective date, notification of traffic-violation convictions must occur within ten days of the conviction.
- States whose CDL program may fail to meet compliance requirements, but are making a "good-faith effort" to comply with the CDL requirements, are eligible to receive emergency CDL grants.
- The FMCSA decided to merge all the CDL provisions into one final rule with one effective date because they were so closely related to one another.

CDL Background Information

- The FMCSA published two Notices of Proposed Rulemaking (NPRM) on May 4, 2001 (Commercial Driver's License Standards, Requirements, and Penalties; Noncommercial Motor Vehicle Violations NPRM), and July 27, 2001 (Commercial Driver's License Standards, Requirements, and Penalties; Commercial Driver's License Program Improvements NPRM), amending various provisions of the CDL.
- The FMCSA received nearly 200 comments in response to these NPRM's.
- The Commercial Motor Vehicle Safety Act of 1986 established the CDL program and the CDLIS to serve as a clearinghouse and repository of CDL and conviction data.
- In 1994, the agency initiated a benefits and effectiveness study to evaluate the effectiveness of the CDL program.
- The Motor Carrier Safety Improvement Act of 1999 amended numerous provisions of title 49 of the United States Code relating to the licensing and sanctioning of commercial motor vehicle drivers required to hold a CDL, and directed the DOT to amend its regulations to correct specific weaknesses in the CDL program.
- The possible primary benefits expected from this rule are fewer CDL-related fatal crashes and fatalities because of the additional CMV operators-and CDL holders, specifically-who will be suspended or disqualified for violation of the new disqualifying offenses and serious traffic violations covered under this rule.

Find this page at: <http://www.fmcsa.dot.gov/registration-licensing/cdl/cdlfactsheet.htm>

Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE, Washington, DC 20590 • 1-800-832-5660 • TTY:
1-800-877-8339
Field Office Roster

Federal Motor Carrier Safety Administration

Home Rules & Regulations Registration & Licensing Forms **Safety & Security** Facts & Research Cross Border About FMCSA

Home > Safety & Security > Safety Initiatives > National Student Transportation Safety Initiative

Search All FMCSA Sites



National Student Transportation Safety Initiative



Goal: To increase the use of safe bus companies for transporting schoolchildren to and from sporting events, field trips, and other extracurricular activities.

Background: In June 2002, drug use, fatigue and inattention contributed to a bus crash that killed the driver and four teenagers and injured dozens of people traveling to a church camp about 30 miles east of Dallas. The bus company, it was later found, was in violation of several Federal Motor Carrier Safety Regulations.

While there are extensive efforts to assure that safe bus companies are hired for home-to-school transportation, too often bus companies that transport schoolchildren to and from extracurricular activities are selected solely on the cost of transportation. We believe that people who arrange for extracurricular transportation would be more concerned with safety if they knew which companies are safe and which are unsafe. The purpose of this outreach initiative is to develop, and make publicly available in each State, a means of evaluating the safeness of each bus company.

Objective: To develop a coalition or core group of Federal, State and industry partners in every State to focus attention on the safe transportation of schoolchildren. The strategy is to obtain the support of State Departments of Education, and to develop a simplified means of providing the best safety information on each bus company operating in that State. Optimally, States will establish criteria for selecting safe bus companies and publish a list of approved carriers from which to choose.

At a minimum, the Federal Motor Carrier Safety Administration will provide safety data on its Web site (safer.fmcsa.dot.gov) regarding interstate bus companies. To develop safety information about bus companies not included on the Federal site, partnership coalitions will work to develop the most reliable sources of information in each State, and will communicate these findings as efficiently as possible.

The bottom line is that, even if only a limited number of carriers are identified in a given State, bus companies identified, as having poor safety records should not be used to transport our schoolchildren. Implementing this safety initiative down to the local decision-maker can take many different routes. For example, the State of North Carolina maintains a database that identifies approved bus companies available for use throughout the State. This centralized approach may not be practical for every State.

However, comparable centralized evaluation processes could be promoted at the county level, the school district level, or by individual schools.

Given our elevated concern for safety and security in the aftermath of September 11, this is a small but important step in looking out for the safety of our children.

Related Links

News Release

Fact Sheet



Overview
Company Safety
Records
Safety Initiatives
Hazardous Materials
TACT
ETA: Guide to Improving
Highway Safety
CMV Safety Belt
Program
Safety Is Good Business
Comprehensive Safety
Analysis (CSA) 2010

- Moving Kids Safely - By Bus (Program Overview - Objective - Strategy)
PDF Version - HTML Version
- Guide for Selecting a Vehicle for Your Next School Activity Trip
PDF Version - HTML Version
- Guide To Hiring Bus Companies for Student Extracurricular Activities
PDF Version - HTML Version
- Keeping Kids Safe - A Guide to Hiring Charter Transportation
Brochure
PDFVersion - HTML Version

PDF Files may be viewed with Adobe Acrobat Reader

